

**WASHINGTON COUNTY COMMISSION
MEETING MINUTES
AUGUST 5, 2014**

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on August 5, 2014, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman James J. Eardley, Commissioner Alan Gardner, Commissioner Victor Iverson, Administrator Dean J. Cox, Deputy County Attorney Eric Clarke, and Deputy County Clerk Christine S. Hall.

Chairman Eardley announced that this is the first Commission meeting with Commissioner Iverson and said the Commission is looking forward to having him on board.

Commissioner Iverson led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for July 1, 2014, through August 5, 2014
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Applications for Property Tax Abatement:
Dean Schmidt, A/N 0306632; Peggy Stokes, S/N H-292-A-5-A; Lynda Jeffs, S/N SG-SDHS-2-70; Dennis Deppe, A/N 0581739; Reta Corbett, A/N 0262751; Harold Hymas, S/N SG-PARF-2; Paula Pringle, S/N W-CPR-1-45; Vesta Gonzales, S/N SG-SCWH-2-42

MOTION: Motion by Commissioner Gardner to Approve the Consent Agenda, as presented. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

VOLUNTEER OF THE MONTH / CAROL HOLLOWELL

No presentations were made today.

EMERGENCY SERVICES REPORT / SHERIFF CORY PULSIPHER

Sheriff Cory Pulsipher reported on Search-and-Rescue activity for the period 6/26/14 through 8/2/14:

- Two hikers needing help in Coal Pits/Zion National Park; 40 man hours
- Boat retrieval by Dive Team in Sand Hollow Reservoir; 30 man hours
- Missing hikers in Jackson Springs/Motoqua Road; 27 man hours
- Stuck hiker in Snow Canyon State Park; 8 man hours
- Suspicious person on Virgin Dam Trail; 8 man hours
- Family of 13 victims of flash flood in Crawdad Canyon/Veyo Pool; 36 man hours

Sheriff Pulsipher also said that the last incident provided a good training opportunity for his new Swift Water Team. Several local businesses and community groups (such as The Findley Group) have sponsored fundraisers in order to raise money for equipment for the Swift Water Team volunteers. The Sheriff expressed his gratitude for the service of these Search and Rescue volunteers.

CONSIDERATION OF PURCHASE REQUESTS / MARK BLANCH

- Five Library branches, computers \$ 26,677.08
- Road Department, gas pumps for diesel fuel \$ 18,042.79
- Regional Park, racetrack resurfacing \$ 52,397.00
- Regional Park, water truck repair \$ 18,895.00

All purchases are budgeted, bonded, or paid for through grant funds.

Gerry Brown, Regional Park Manager, explained that the original racetrack was built approximately seventeen (17) years ago out of clay. At that time, about one hundred (100) horses were on site, and now there are over four hundred (400). One reason the Washington County Regional Park attracts so many visitors is that the track is kept in good condition, and it is a smart economical decision to resurface it, as it represents a large revenue source for the County.

**MOTION: Motion by Commissioner Gardner to Approve the Purchase Requests.
Motion seconded by Commissioner Iverson and carried by unanimous
vote, with Commissioners Eardley, Gardner, and Iverson voting aye.**

**ACKNOWLEDGMENT OF RETIREMENT OF BALANCE OF BOND FOR THE
BOULEVARD BUILDING / ADDRESS RDAS / KIM M. HAFEN**

Washington County Clerk-Auditor Kim Hafen explained that the County had a loan for the Boulevard Building that was due to be paid off in 2018. However, by using reserves to retire the balance of the bond for the Boulevard Building, a savings of forty-five thousand dollars (\$45,000) in interest has resulted.

Additionally, a recent audit by the State of Utah of Redevelopment Areas (RDAs) indicated that some taxpayers have been undercharged over the years by virtue of the method of calculation. Washington County taxpayers were not affected.

APPROVAL OF THE 2013/2014/2015 URS RATES / KIM M. HAFEN

Mr. Hafen said that when his office prepares its budget for the following year in November and December, it incorporates into that budget the amount that the County contributes to the Utah Retirement System (URS) towards the pensions of retirees. The State Auditor now requests that the Clerk's Office approves the rate specifically outside of the budget process. The URS calculates its rates based on the fiscal year (June 30 through July 1). Mr. Hafen requests that the Commission approve the URS rates as requested by the State for the 2013-2014 and 2014-2015 fiscal years.

MOTION: Motion by Commissioner Iverson to Approve the 2013-2014 and 2014-2015 Utah Retirement System rates to Comply with the State Auditor's Request. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

INTRODUCTION OF THE NEW DISTRICT MANAGER OF THE ARIZONA STRIP FOR THE BLM / TIM BURKE

Mr. Tim Burke introduced himself to the Commission as the new District Manager of the Arizona Strip for the Bureau of Land Management, replacing Scott Florence. Mr. Burke worked for the BLM for the past thirty-five (35) years in various locations, and he stands ready to coordinate his office's management efforts with Washington County.

CONSIDERATION OF RESOLUTION NO. R-2014-1823, A RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN WASHINGTON COUNTY, ON BEHALF OF WASHINGTON COUNTY SHERIFF'S OFFICE, AND U.S. BANK EQUIPMENT FINANCE FOR OFFICE EQUIPMENT

Undersheriff Bart Bailey explained that the Sheriff's Office desires to replace aging equipment with newer leased equipment.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1823, A Resolution Approving a Lease Agreement between

Washington County, on Behalf of the Washington County Sheriff's Office, and U. S. Bank Equipment Finance, for Office Equipment. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1824, A RESOLUTION APPOINTING A JUDGE TO THE WASHINGTON COUNTY JUSTICE COURT

With the move of Judge Paul Dame to U. S. District Court, a vacancy was created in the Washington County Justice Court. There were many fine applicants for the position, and after interviewing three (3) candidates that were nominated by the Washington County Justice Court Nominating Commission, the Commission decided on Ronald L. Read to fill the vacancy.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1824, A Resolution Appointing Ronald L. Reade to the Washington County Justice Court. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1825, A RESOLUTION APPROVING AN AGREEMENT BETWEEN EMERGENCY VEHICLE SYSTEMS AND WASHINGTON COUNTY ON BEHALF OF WASHINGTON COUNTY SHERIFF'S OFFICE FOR THE INSTALLATION AND REMOVAL OF EMERGENCY VEHICLE EQUIPMENT IN SHERIFF'S OFFICE FLEET VEHICLES

Undersheriff Bailey explained that the equipment referred to in this agreement is lights, sirens, computers, and the like. The Sheriff's Office did a Request for Proposals and selected Emergency Vehicle Systems (EVS) as its vendor.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2014-1825, A Resolution Approving An Agreement Between Emergency Vehicle Systems And Washington County On Behalf Of Washington County Sheriff's Office For The Installation And Removal Of Emergency Vehicle Equipment In Sheriff's Office Fleet Vehicles. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1826, A RESOLUTION APPOINTING STEVE JARVIS AS A DEPUTY COUNTY CONSTABLE

Washington County Constable Jean Dickson requested Commission approval of the appointment of Steve Jarvis as her second deputy constable. She said he has considerable experience and will be a great asset to her office. All required insurance has been obtained and all appropriate documents submitted.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2014-1826, A Resolution Approving Steve Jarvis as a Deputy County Constable. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1827, A RESOLUTION APPROVING THE PURCHASE OF REAL PROPERTY ADJACENT TO THE ST. GEORGE SR. CITIZENS' CENTER IN ORDER TO PROVIDE ADDITIONAL PARKING SPACE

Administrator Dean Cox said that this property is immediately to the north of the St. George Senior Citizens Center and adjacent to parcels that the County has already purchased to expand the parking lot on the north side of the building. Some senior citizens have had to park some distance from the building in order to access that facility. The total purchase price is one hundred and fifty-six thousand, three hundred and thirty dollars (\$156,330.00).

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1827, A Resolution Approving The Purchase Of Real Property Adjacent To The St. George Senior Citizens' Center In Order To Provide Additional Parking Space. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1828, A RESOLUTION TO ADOPT AND APPROVE THE WASHINGTON COUNTY – NRCS GUNLOCK ROAD AND SHIVWITS CUTOFF ROAD – 2012 EWP AGREEMENT TO RELIEVE HAZARDS AND DAMAGES CREATED BY THE FLOOD IN WASHINGTON COUNTY, UTAH

Public Works Director Ron Whitehead said that damage to this area began during the 2005 flood and received additional damage during every subsequent flood.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2014-1828, A Resolution to Adopt The Washington County – NRCS Gunlock Road And Shivwits Cutoff Road – 2012 EWP Agreement To Relieve Hazards And Damages Created By The Flood In Washington

County, Utah. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1829, A RESOLUTION APPROVING THE WARNER DRAW SUPPLEMENTAL WATERSHED WORK PLAN AGREEMENT #3 AND APPROVING AN NRCS AGREEMENT REGARDING REPAIRS TO THE WARNER DRAW AND STUCKI DEBRIS BASIN

Mr. Whitehead requested approval of (1) an amendment to the existing agreement that controls debris basins in the Washington Fields area that would remove Washington County as a signator; and (2) to recognize that the Flood Control Authority will be the entity in charge of the maintenance and operations of the debris/flood control basins. Money from the Natural Resources Conservation Service (NRCS) is only available for a short time, and it is necessary for the County to request those funds in the event the Flood Control Authority cannot be created in time. Mr. Clarke added that once the proper contracts are in place, they will be brought before the Commission for approval unless the paperwork for the Flood Control Authority is completed in time.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1829, A Resolution Approving The Warner Draw Supplemental Watershed Work Plan Agreement #3 And Approving An NRCS Agreement Regarding Repairs To The Warner Draw And Stucki Debris Basin. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1830, A RESOLUTION PROVIDING FOR AN OPINION QUESTION TO BE INCLUDED ON THE BALLOT FOR THE GENERAL ELECTION SCHEDULED TO BE HELD ON NOVEMBER 4, 2014, FOR THE PURPOSE OF DETERMINING WHETHER WASHINGTON COUNTY SHOULD IMPOSE A SALES AND USE TAX OF 1/10TH OF 1% TO FUND RECREATIONAL AND CULTURAL FACILITIES AND CULTURAL ORGANIZATIONS

Mr. Clarke said that this proposal was suggested by a local citizens' group, which desires to put the question before the voters on the ballot. It is a rather involved process, similar to that for a bond proposal. There will be a public hearing, a public opinion contest, another public hearing, leading up to the opinion question appearing on the ballot for voters to decide. Based on current revenue, approximately two million dollars (\$2,000,000) is expected to be raised, which could only be used as designated in the resolution.

Commissioner Gardner mentioned that roughly one-third (1/3) of the sales tax raised would consist of tourist dollars rather than taxpayer dollars. Additionally, several municipalities within the County have expressed support for this proposal.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1830, a Resolution Providing For An Opinion Question To Be Included On The Ballot For The General Election Scheduled To Be Held On November 4, 2014, For The Purpose Of Determining Whether Washington County Should Impose A Sales And Use Tax Of 1/10th Of 1% To Fund Recreational And Cultural Facilities And Cultural Organizations. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

COMMISSIONERS' REPORT

Mr. Cox recognized Commissioner Alan Gardner's recent appointing as the Chairman of the National Association of Counties (NACo) Management Subcommittee of the Public Lands Council. This committee deals with public lands issues nationwide.

PUBLIC WORKS OR ROAD BUSINESS

Mr. Whitehead reported on current road department issues:

- No major damage was done to roads in the County as the result of recent flooding
- The Road Department will on Kolob Mountain during the coming week, chipping the County portions of the roads from Virgin to the top of the mountain, and the public is cautioned to drive carefully in that area. This will be the last chipping project for the year, having finished Pine Valley, Sky Ranch, and then Kolob.
- The current NRCS project is the cutoff road referred to earlier, and shortly the bid package will be prepared for the Motoqua area near Beaver Dam Wash
- After that, Holt Canyon will be the next project, from the north end of Washington County into Iron County (joint project)
- Other NRCS projects will resume in about ten days, after the sensitive environmental window for nesting of birds has passed

COUNTY DEVELOPMENT AND PLANNING BUSINESS: REPORT OF PLANNING COMMISSION ITEMS FROM JULY 8, 2014 / SCOTT MESSEL

Conditional Use: Review of request for a 6 month extension to use RV/Camp Trailer as temporary dwelling. Located at 262 South 700 West in Veyo. Zoned RA-1 (Residential Agricultural 1 acre minimum lot size). The applicant is Charles Hart.

Ordinance Amendment: Consideration of new ordinance, Title 10, Chapter 26, Home Occupation, and amending applicable definitions and sections. Making it possible for home based businesses to use accessory building; creating and defining Minor and Major Home Occupation.

Final Plat: Review of Final Plat for Grassy Meadows Sky Ranch Phase 6A. Consisting of 3 lots located near Sky Ranch Subdivision near Hurricane. Zoned RA-1 (Residential Agricultural 1 acre minimum lot size requirement). The applicant is Fernwood LLC, Sky Ranch Phase 6 LLC/ Reid Pope.

Request a Closed Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:50 p.m.

CHRISTINE S. HALL
DEPUTY CLERK

JAMES J. EARDLEY
CHAIRMAN